

AGENDA



Thursday, May 8, 2008

**Contract and Land Management
RECOMMENDATION FOR COUNCIL ACTION****Item No. 10**

Subject: Approve a resolution authorizing the filing of eminent domain proceedings for the Braker at I-35 Traffic Systems Management (TSM) Project to acquire a 640 square foot right of way dedication and a 2,829 square foot temporary construction easement out of the John Applegait Survey No. 58, Abstract No. 29, Travis County, Texas, in the amount of \$15,013. The owner of the needed property interests is MP Braker, L.P., a Texas limited partnership. The property is located at 611 East Braker Lane, Austin, Travis County, Texas.

Amount and Source of Funding: Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Public Works Department.

Fiscal Note: A fiscal note is attached.

For More Information: Lauraine Rizer 974-7078, Robin Field 974-7064

The design plans for the Braker at I-35 Traffic Systems Management (TSM) Project require the acquisition of a right of way dedication and a temporary construction easement on the property located at 611 East Braker Lane, Austin, Texas in order to provide safety improvements by adding a designated right turn lane on the SW corner of Braker and IH 35 frontage. The City of Austin has attempted to purchase the right of way dedication and the temporary construction easement. However, the parties have been unable to agree on the fair market value thereof. The Law Department is requesting authorization to file an action in eminent domain on behalf of the City of Austin.